

MEMORANDUM FOR:

SUBJECT : CIA Participation in Law of the Sea Negotiations

1. The Agency has long had an interest in sea boundaries and ocean environment, particularly as they relate to military and intelligence operations, and as a potential source of international discord.

2. Since the late 1960s, when considerable US Government attention began to focus on law of the sea issues, CIA participation in the growing interagency effort has been concentrated in three general areas:

- support to the Interagency Law of the Sea Task Force
- review and comment at the NSC staff level of several studies on oceans policy prepared for the White House
- preparation of selected intelligence memoranda and weekly articles on the law of the sea and related topics.

3. The Interagency Law of the Sea Task Force, created in January 1970 by executive directive, is charged with preparing and maintaining a coordinated US Government position on law of the sea issues and <sup>with</sup> ~~in~~ carrying out bilateral and multilateral negotiations of the approved US positions on those subjects. The Task Force is chaired by the Legal Advisor, Department of State. CIA was designated an ad hoc member of the Task Force STATINTL Working Group in May 1970. The Office of Basic and Geographic Intelligence has furnished CIA's representative since that time. Our current representative is [REDACTED] chief ~~dx~~ of

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 OBGI's Special Research section. Most of [REDACTED] time is  
 spent on law of the sea matters.

STATINTL

4. The National Security Council got into the act in April 1971 with the issuance of NSSM 125, "US Ocean Policy." The study prepared in response to NSSM 125 was a comprehensive treatment of all the important law of the sea policy issues, proposals for achieving overall US objectives, and guidelines for US participation in the UN Seabeds Committee meetings. As a member of the ad hoc group which prepared the study, <sup>the representative</sup> CIA participated in the many discussions on the substantive law of the sea issues and submitted several working papers.

5. Following Presidential review of the NSSM 125 response, NSDM 122 was issued in July 1971. It set forth positions to be taken by the US Delegation to the Preparatory UN Law of the Sea session in Geneva, July-August 1971. State Department was assigned responsibility for implementation of the NSDM and for making followup reports on Law of the Sea Negotiations.

6. The NSC Under Secretaries Committee is now the action channel for law of the sea matters. The Interagency Law of the Sea Task Force continues to operate; its most recent activity was the preparation of instructions for the US Delegation to the UN Seabeds Committee meeting held during July-August 1973. There is now in preparation, under USC auspices, a Law of the Sea Economic Review, laid on by NSDM 225 and a subsequent Under Secretaries Committee Study Memorandum.

7. During the past 3 years, CIA has produced several intelligence memoranda, CIB and Weekly Review items, and approximately [REDACTED] reports in support of or related to law of the sea negotiations. Continued CIA support will be needed on a variety of law of the sea and related topics.

This effort will require

- appraisals of foreign attitudes and intentions on the law of the sea negotiations
- additional geographic studies on specific problems such as archipelago claims, straits, and the role of small islands in jurisdictional disputes
- assessment of the international situation that would evolve in the event the 1973 Law of the Sea Conference "fails"
- prospects for the discovery and recovery of essential minerals from the oceans with or without international accords
- additional [REDACTED] support for US negotiators
- graphic support with maps, charts, and diagrams showing important aspects of the world law of the sea situation.

8. In sum, CIA has ~~is, and will continue to~~ participated in Law of the Sea Negotiations. <sup>for some 3 years.</sup> It seems likely that our support will increase in direct ratio to US Government attention to the negotiations.